



**TOWN OF WELFLEET  
BOARD OF HEALTH**

**RULE AND ORDER REQUIRING THE USE OF MASKS AND OTHER PROTECTIVE  
MEASURES**

**EFFECTIVE: October 7, 2021**

Pursuant to the Massachusetts General Laws, Chapter 111, Sections 31 and 122, 310 CMR 11.05, 105 CMR 300.200 and all other authorizing statutes and regulations, we the members of the Wellfleet Board of Health hereby order the following:

1. It is recommended that all persons who do not reside in the same household maintain a physical distance of six feet when possible and when in a location that is open to the public.
2. In addition to physical distancing and in an effort to protect the public health, all persons regardless of vaccination status, including customers and staff working in areas accessible to customers, must wear a cloth face covering that covers their nose and mouth, such as a fabric or surgical mask. Wearing a mask is not a substitute for maintaining six feet of physical distancing.
3. Masks or cloth face coverings shall be worn:
  - a. Whenever indoors on the premises of a business, club, or place of assembly, including but not limited to retail establishments, restaurants, bars, performance venues, social clubs, event spaces, places of religious worship and municipal buildings. Food service establishment customers may only remove face coverings when seated; lodging workers and guests are required to wear face coverings inside hallways and common areas.
  - b. Personal services (including hair salons and massage/ body work) customers and workers are required to wear face coverings.
  - c. Masking remains mandatory for all individuals on public and private transportation systems including ride shares, taxis, transportation shelters and the CCRTA flex bus.
  - d. Whenever outdoors in a public place, including streets, sidewalks, while waiting in lines, and at beaches and ponds, if physical distancing cannot be maintained as a result of the number of people present.
  - e. Whenever outdoors on the premises of public or private property in use for the purpose of a gathering, which includes without limitations, community, civic, public, leisure, faith-based, sporting events, concerts, conferences, conventions, fundraisers,

- parades, fairs, festivals, weddings, funerals, and any similar event or activity that brings together more than 100 persons in any space.
4. This Order shall not apply to informal gatherings at private residences in which no compensation for use of the property is paid to the owner and it shall not apply to unorganized gatherings in unenclosed, outdoor spaces such as a park, athletic field, or parking lot.
  5. The face covering requirements of this Order shall be in place until it is rescinded by the Board of Health.
  6. Full vaccination against COVID-19 remains important to reduce hospitalization and morbidity from the virus. We encourage all eligible persons who are not fully vaccinated to get immunized. It is recommended that all non-vaccinated individuals wear a face mask in all public areas.
  7. Notwithstanding any provision in this Order, pursuant to guidance issued by CDC face coverings should not be placed on young children under two years of age, anyone who has trouble breathing, anyone who is unconscious, incapacitated or otherwise unable to remove the mask without assistance, or anyone who due to disability is unable to wear a mask.
  8. To the extent necessary, this Order shall be enforced by the Wellfleet Health Agent and Assistant Health Agent.
  9. Whoever violates any provision of this Order may be penalized by a non-criminal disposition process as provided in MGL Chapter 40, Section 21D and the Town's non-criminal disposition by-law.
  10. If non-criminal disposition is elected, then any person who violates any provision of this Order shall be subject to: for a first offense, a written warning; for a second offense, a penalty in the amount of one hundred dollars (\$100); for a third offense, a penalty of two hundred dollars (\$200); and for a fourth or subsequent offense, a penalty in the amount of three hundred dollars (\$300). Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

**This Order shall be effective October 7, 2021 and remain in effect until notice is given, pursuant to the Wellfleet Board of Health's judgement that the Public Health Emergency no longer exists.**